

☐ Applicant claims small entity status. See 37 CFR 1.27

GRIHAC P28AUS

FEE CALCULATION (continued)

Deposit Account Name: DAVIS & BUJOLD, P.L.L.C.

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified account.

FEE CALCULATION

1. FILING FEE Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provision filing fee	
				SUBTOTAL (1)	<u>\$-0-</u>

2. CLAIMS		<u>Extra</u>	<u>Fee From Below</u>	<u>Fee Paid</u>
Total Claims	-20*	=	\$18 (\$9) x	=
Ind. Claims	- 3	=	\$86 (\$43) x	=
Multiple Dependent		=	\$290 (\$145) x	=

** or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
				SUBTOTAL (2)
				\$-0-

****or number previously paid, if greater; For Reissues, see above**

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$770

SUBMITTED BY

Completed (if applicable)

Typed or
Printed Name

Michael J. Bujold

CUSTOMER NUMBER: 020210

Registration No.

32,018

Telephone (603) 624-9220

Deposit Acct. No.

04-0213

Fax: (603) 624-9229

Signature

Date: September 15, 2004

9/15/04



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Ging Hauw KHOE, Myint ZAW, Patricia Salini PRASAD and Maree Therese EMETT
Serial no. : 09/463,423
Filed : with an effective filing date July 22, 1998
For : PHOTO-ASSISTED OXIDATION OF INORGANIC SPECIES IN AQUEOUS SOLUTIONS
Group Art Unit : 1744
Examiner : Monzer R. CHORBAJI
Docket : GRIHAC P28AUS

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C. F. R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

WARNING: 35 U.S.C. § 132(b) and § 1.114 provide for the continued examination of an application and **not** examination of a continuing application). Accordingly, the Office will not permit an applicant to obtain continued examination on the basis of claims that are independent and distinct from the claims previously claimed and examined. Notice of March 10, 2000, 65 Fed Reg 14865, at 14868. "

WARNING: A continued examination request cannot be made if at least one office action under 35 U.S.C. § 132 or a notice of allowance under 35 U.S.C. § 161 has not been mailed. The provisions of 37 CFR 1.114 also do not apply (1) to a provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. § 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. § 363 before June 8, 1995; (4) a patent under reexamination or (5) an application for a design patent. 37 CFR § 1.114(d).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) AND 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

- deposited with the United States Postal Service in an envelope addressed to the Assistance Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

- ☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

- ☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____

(mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____.

DATE: 9/15/04

Signature

Michael J. Bujold

(type or print name of practitioner)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: There is no limit to the number of times the fee for continued examination may be submitted. Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.

NOTE: Unlike a continuation application, a continued examination request **can** utilize the mailing procedure of 37 CFR 1.8. See 37 CFR § 1.8(a)(2)(i)(A).

TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under § 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.

NOTE: If such a notice is not sent to the Board then may refuse to vacate a decision rendered after the filing of the RCE but before recognition by the Office of the RCE request under § 1.114.

- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. § 145 or ☐ Commencement of a civil action under 35 U.S.C. § 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is:

WARNING: If reply to a final or non-final Office action under 35 U.S.C. § 132 is outstanding, the submission must meet the reply requirements of § 1.111. 37 C.F.R. § 1.114(b).

- ☐ An information disclosure (37 C.F.R. § 1.98)
 - ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☐ An amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☒ Other: **Please consider attached Response**

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of:

- ☐ Small entity (and status is still as small entity) \$385.00
- ☒ Other than a small entity \$770.00

Continued Prosecution Request Fee \$ 770.00

FEE FOR CLAIMS

NOTE: "The fee for continued examination under § 1.114 (§ 1.17(e)) does not include additional claims fee (cf. 1.53 (d)(3)(ii))." See Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.

37 CFR 1.53 (d)(3): "The filing fee for a continued prosecution application filed under this paragraph is:

- (i) The basic filing fee as set forth in § 1.16; and
Any additional § 1.16 fee due based on the number of claims remaining in the application after entry of any amendment accompanying the request for an application under this paragraph and entry of any amendments under § 1.116 unentered in the prior application which applicant has requested to be entered in the continued prosecution application."

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA RATE	ADDIT. OR FEE	ADDIT. RATE FEE
TOTAL	9	MINUS	20	=	0	x \$9= \$	x \$18= \$-0-
INDEP.	2	MINUS	3	=	0	x \$43= \$	x \$86= \$-0-
□ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+ \$145= \$	+\$290= \$-0-
						TOTAL ADDIT. FEE \$	OR TOTAL ADDIT. FEE \$-0-

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

*** IF the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid for" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: See 37 C.F.R. § 1.116.

(complete (a) or (b), as applicable)

(a) ☒ No additional fee is required.

OR

(b) ☐ Total additional fee required is \$_____.

EXTENSION OF TIME

(If an extension of time is appropriate complete (a) or (b), as applicable)

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

NOTE: 37 C.F.R. § 1.704(b) ".....an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

(a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

	Extension for (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$1,480.00	\$ 740.00
<input type="checkbox"/>	fifth months	\$2,010.00	\$1,005.00

FEE:\$ -0-

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

WARNING: The fee for continued examination under § 1.114 may not be deferred. 37 C.F.R. § 1.53(f).

7. The total fee(s) due is/are:

Continued Prosecution Fee (§ 1.17(e))	\$ <u>770.00</u>
Fee(s) for additional claims (if any) (§ 1.16(b)-(d))	\$ _____
Extension of time fee (if any) (§ 1.17(a)(1)-(4))	\$ _____
Total Fee(s) Due	\$ <u>770.00</u>

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

- ☒ Check is attached for the sum of \$ 770.00
- ☐ Charge Account No. 04-0213 the sum of \$
- ☐ Charge Credit Card the sum of \$
(Credit Card Payment Form (PTO-2038) attached)

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to

- ☒ Account 04-0213
- ☐ Credit Card (Credit Card Payment Form (PTO-2038) attached).

INVENTORSHIP

NOTE: Any change of Inventors must be via the procedure set forth in 37 CFR § 1.48. See Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.

9. This application as amended names as inventors:

- ☒ the same inventors as previously designated for the claims.
- ☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.
- ☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:
☐ being filed ☐ been filed

DEFERRAL OR EXAMINATION


10. ☐ A request for deferral of examination accompanies this request for continued examination.

Reg. No.: 32,018

Date: 9/15/04

Tel. No. (603) 624-9220

Fax No. (603) 624-9229



SIGNATURE OF PRACTITIONER

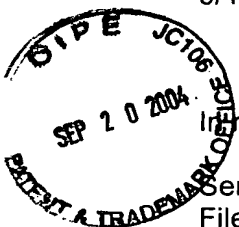
 Michael J. Bujold
 (type or print name of practitioner)

Customer No.: 020210
 DAVIS & BUJOLD, P.L.L.C.
 Fourth Floor
 500 North Commercial Street
 Manchester NH 03101-1151

9/15/04

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the Application of : Ging Hauw KHOE, Myint ZAW, Patricia Salini
PRASAD and Maree Therese EMETT
Serial no. : 09/463,423
Filed : with an effective filing date July 22, 1998
For : PHOTO-ASSISTED OXIDATION OF
INORGANIC SPECIES IN AQUEOUS
SOLUTIONS
Group Art Unit : 1744
Examiner : Monzer R. CHORBAJI
Docket : GRIHAC P28AUS

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

[XXX] A CHECK FOR THE FEES INDICATED BELOW, BASED UPON THE APPLICANT'S ENTITY STATUS, ACCOMPANIES THIS RESPONSE.	
Request for Continued Prosecution (RCE)	\$770
TOTAL	\$770

In response to the official action mailed June 15, 2004, please enter the following before reconsideration of this application in the accompanying Request for Continued Examination.

In the Claims:

Please enter new claim 30 and amend claim 18 as follows in which the claim additions are shown by underlining and/or the claim deletions are shown by strikeout. Please enter the amended claims into the record of this case.